

UNITED STATES BANKRUPTCY COURT

District of Arizona

TUCSON DIVISION

James A Walsh Courthouse
38 South Scott Avenue
Tucson, AZ 85701
520-202-7500

PHOENIX DIVISION

230 N. First Ave., Suite 101
Phoenix AZ 85003-1727
602-682-4000

YUMA DIVISION

John M Roll US Courthouse
98 W. First St., Suite 270
Yuma, AZ 85364
800-556-9230

NOTICE TO DEBTORS NOT REPRESENTED BY AN ATTORNEY

An individual or a married couple may file a bankruptcy without being represented by an attorney. However, be advised that THE CLERK'S OFFICE CANNOT GIVE YOU LEGAL ADVICE ABOUT YOUR BANKRUPTCY.

PREVIOUS BANKRUPTCY FILINGS

If you had a previous case pending within the preceding year that was dismissed, you are advised that pursuant to 11 U.S.C. § 362(c)(3), the automatic stay provided by § 362(a) will terminate in 30 days of the filing of your petition, unless you file a motion with the court seeking a continuation of the automatic stay and the court determines that the second case was filed in good faith. If you choose to file a motion to extend the stay, please title it as an Emergency Motion.

If you had two or more previous cases pending within the preceding year that were dismissed, you are advised that pursuant to 11 U.S.C. § 362(c)(4), no automatic stay under § 362 (a) went into effect when your petition was filed. Any party may request that the court enter an order confirming that there is no stay in effect. To obtain a stay, you must file a motion, within 30 days of the date of the filing of the petition, and demonstrate that the new case was filed in good faith. If you do file this motion, please title it as an Emergency Motion.

SELF-HELP RESOURCES: ONLINE, TELEPHONE OR IN PERSON

ONLINE DEBTOR HELP: www.azb.uscourts.gov/shc

The person filing a bankruptcy is called the "Debtor". The Filing Without an Attorney link contains basic information a debtor may need to know during the bankruptcy process, including *Before You File*, *When You File*, *After You File*, and answers to *Frequently Asked Questions*.

BANKRUPTCY COURT SELF HELP CENTER: On the 6th floor of the Phoenix Bankruptcy Court (Suite 6322) Open 9:00 a.m. – 4:00 p.m., Monday–Friday (1-866-553-0893 or 602-682-4007)

Free service to individuals who have filed or are considering filing bankruptcy under Chapter 7 or Chapter 13 and to individual creditors in consumer bankruptcy cases. At Self Help Centers you may request free forms, view informational videos, get information from the Pro Se Law Clerk or meet with a volunteer attorney in person or on the phone. To view the volunteer attorney schedule go online: www.azb.uscourts.gov/shc. Free consultations with volunteer lawyers are by appointment, limited to 30 minutes and cannot address complex bankruptcy matters.

At the Self Help Center, you can get information on bankruptcy topics such as:

- Required bankruptcy forms for Chapter 7 and 13;
- Reaffirmation of debts and statement of intention;
- Types of debt that are generally discharged and those that are not such as student loans;
- Avoiding liens while in bankruptcy;

PRIVACY PROTECTION

Bankruptcy files are public records and are available to the public over the Internet. It is your responsibility to redact (remove from view by crossing out) social security or taxpayer identification numbers (with the exception of the Social Security Statement); dates of birth; names of minor children; and financial account numbers. Unless otherwise required or ordered by the court, documents may include only the following:

1. the last four digits of the social-security number and taxpayer identification number;
2. the year of the individual's birth;
3. the minor child's initials; and
4. the last four digits of the financial-account number.

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FILING FEES

Filing fees are as follows: Chapter 7 – \$335 and Chapter 13 – \$310. If you are unable to pay the full filing fee at the time you file your petition, you may file an application to pay the filing fee in installments. A minimum payment of \$80.00 is required at the time the bankruptcy is filed. You will receive an order of the court specifying the amounts of installments and when they are due. It is imperative that you make the installments as ordered. You may pay the installments in person or by mail. **Cash and personal checks are not accepted.** Payment must be by money order or cashier check. *FAILURE TO PAY THE INSTALLMENTS AS ORDERED WILL RESULT IN YOUR CASE BEING DISMISSED.*

WAIVER OF CHAPTER 7 FILING FEE

If you cannot afford to pay the filing in full or in installments, then you may request a waiver of the filing fee. Only a Chapter 7 filing fee may be waived. A required form of application (available at the above court locations or at the court's web site) must be completed and filed with the court. The bankruptcy judge will decide whether you have to pay the filing fee. The judge may waive the fee only if your income is less than 150 percent of the official poverty line applicable to your family size and you are unable to pay the fee in installments. You may obtain information about the poverty guidelines from our web site or at the above locations.

REQUIRED DOCUMENTS FOR FILING

Along with the bankruptcy petition, there are many documents that must be filed in bankruptcy. You may find a list of all the documents on the Court website or at the Self Help Center. The social security number statement and credit counseling certificate are required to be filed with the bankruptcy petition. For a list of approved credit counseling providers, go to the Court website. A master mailing list must be not later than seven days after the bankruptcy petition has been filed. This mailing list must contain the names and addresses (including zip codes) of all your creditors. In addition to the petition and master mailing list, there are schedules and a statement of financial affairs that must be filed within 14 days of filing the bankruptcy petition. If you are missing documents, you will receive a notice from the Court stating what documents you must file. *FAILURE TO FILE THE REQUIRED DOCUMENTS ON TIME SHALL RESULT IN YOUR CASE BEING DISMISSED.*

MEETING OF CREDITORS

Approximately two weeks after you have filed your bankruptcy petition, you will receive a copy of a notice for the meeting of creditors. The meeting of creditors is an opportunity for the trustee and any creditors who appear to ask you questions regarding your financial affairs. You must appear at this meeting. If a married couple filed jointly, they both must appear. If you have a problem with appearing at this meeting, contact your trustee. This meeting is scheduled by your trustee, not the bankruptcy court. *FAILURE TO APPEAR AT THE MEETING OF CREDITORS SHALL RESULT IN YOUR CASE BEING AUTOMATICALLY DISMISSED.*

NOTICE TO YOUR CREDITORS

Approximately two weeks after you file your petition, the clerk's office will send a notice for the meeting of creditors to all the creditors you have listed on your master mailing list notifying them of your bankruptcy. If you need a creditor to receive notice sooner, you must give them notice yourself.

CHANGE OF ADDRESS

IT IS VERY IMPORTANT TO TELL THE CLERK'S OFFICE IN WRITING IF YOU CHANGE YOUR MAILING ADDRESS. You also need to notify your trustee. Failure to do so may result in legal actions being taken without notice to you. Include your name and bankruptcy case number.

AMENDMENTS

If you want to amend your bankruptcy to include any creditors that you forgot to list when you filed your original schedules, you must file an amended document. Amendments to Schedules D or E/F, or the Mailing List require a \$31 fee. If you file an amendment, you must mail a copy of that amendment to the creditors you have listed on it and to the trustee assigned to your case. Please note on the amendment that you have mailed a copy to those creditors.

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FINANCIAL MANAGEMENT CLASS AND DISCHARGE

If you are an individual, you must take an approved course about personal financial management if:

- you filed for bankruptcy under chapter 7 or 13, or
- you filed for bankruptcy under chapter 11 and §1141 (d)(3) does apply.
- In a joint case, each debtor must take the course. 11 U.S.C §§ 727(a)(11) and 1328(g).

After you finish the course, the provider will give you a certificate. The provider may notify the court that you have completed the course. If the provider does notify the court, you need not file this form. If the provider does not notify the court, then each debtor must file this form with the certificate number before your debts will be discharged. If you filed under chapter 7 and you need to file this form, file it within 60 days after the first date set for the meeting of creditors under 11 U.S.C. §341. If you filed under chapter 11 or 13 and you need to file this form, file it before you make the last payment that your plan requires or before you file a motion for a discharge under 11 U.S.C. §1141(d)(5)(B) or §1328(b). Fed. R. Bankr. P. 1007(c). In some cases, the court can waive the requirement to take the financial management course. To have the requirement waived, you must file a motion with the court and obtain a court order.

Your discharge will not be entered until after the date in the Discharge of Debts section of your Notice for the meeting of creditors— this date is 60 days after the meeting of creditors. In order to receive a discharge in a chapter 7 or a chapter 13 case, you must complete a financial management course and file the certificate of completion with the Court. A list of approved providers of the financial management course this course can be obtained at the Court or from the court's web site. If you do not file the certificate of completion of the financial management class, your case may be closed without a discharge. The discharge does not close your case. It will be closed when the trustee has completed the administration of your estate.

COMMUNICATIONS WITH THE COURT

If you are having a problem with any of your creditors after the filing of your bankruptcy, it is NOT possible to communicate in person or by phone with the bankruptcy judge. If you need to seek any relief from the court, you must file a written motion specifying the relief you seek. The matter may then be set for hearing before the judge. The clerk's office cannot assist you with any problems you might have with any of your creditors. This office cannot act on your behalf in any dispute you might have with a creditor.

EMAIL NOTIFICATION OF COURT NOTICES (DeBN Program)

If you have an e-mail address, you can choose to receive notices from the Court electronically instead of by mail. The DeBN program allows debtors to electronically receive court-generated notices and orders through the Bankruptcy Noticing Center. The program is voluntary. A debtor can register by completing a consent form through the Clerk's Office. To register for the program, go to www.azb.uscourts.gov/DeBN.

COPIES OF TAX RETURNS

The trustee requests copies of your tax returns. Your returns should be sent directly to the trustee assigned to your case. DO NOT send copies of your tax returns to the Court. The trustee's name and address will be printed on the notice of the meeting of creditors that you will receive in the mail.

Date: March 6, 2020

Address of the Bankruptcy Clerk's Office:

U.S. Bankruptcy Court, Arizona
230 North First Avenue, Suite 101
Phoenix, AZ 85003-1727
Telephone number: (602) 682-4000
www.azb.uscourts.gov

Clerk of the Bankruptcy Court:

George Prentice